

REMARKS

Claims 1, 3 – 5, 7, 9, 10, 12 – 14, 17 – 19, and 21 – 27 are pending in this application.

Claims 1, 3 – 5, 7, 9, and 24 rejected under 35 U.S.C. § 101. Claims 1, 3, 4, 9, 10, 12-14, 18, 22, and 24-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent Number 6,396,476 to Bradski et al. (hereinafter Bradski) and U.S. Patent Number 7,197,562 to Murtha et al. (hereinafter Murtha) and U.S. Patent Number 6,243,071 to Shwarts et al (hereinafter Shwarts). Claims 5, 7, 17, 19, 21, and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bradski in view of Murtha and in further view of United States Patent Number 6,664,990 to Bates et al. (hereinafter Bates). Applicants have amended claims 1, 10, 24, 35, and 27 in this Office Action.

Support for Amendments

Applicants have amended Claim 1 to clarify that the pointing device interface module resides at the driver level of an operating system. Support for this amendment is found in the specification at paragraph 30. Claim 1 further specifies that the feedback module intercepts pointing device events sent by the pointing device interface module to an application interface module that comprises an operating system process. Claim 1 further specifies that the feedback module provides pointing device events to the application interface module. Support for this amendment is found at least in Figure 3 and in paragraphs 31 – 32. Claim 1 further notes that the modules comprise one or more of hardware and executable code, the executable code stored on one or more computer readable media. Support for this amendment is found at paragraphs 23-25.

Claim 10 is amended to specify that feedback is provided through a device driver residing on the driver level of an operating system, and wherein the feedback is provided without invoking an application interface process of an operating system. Support for this amendment is found at least in Figure 3 and 31 – 32. Amendments to Claims 24, 25, and 27 are supported by at least the same portions of the specification cited in reference to the amendments to Claim 1 and 10.

Response to Rejections Under § 101

Applicants respectfully disagree with the Examiner's position that Claims 1, 3 – 5, 7, 9, and 24 are directed to non-statutory subject matter. In order to facilitate prompt allowance, Applicants have amended Claims 1 and 24 to specify that the modules and means identified in the claims comprise one or more of hardware and executable code stored on computer readable media. Applicants respectfully submit that such hardware or media is clearly statutory subject matter under §101.

Response to rejections of claims under 35 U.S.C. § 103(a)

Claims 1, 3-5, 7, 9, 10, 12-14, 17-19, and 21-27 stand rejected under 35 U.S.C. § 103(a). Specifically, claims 1, 3, 4, 9, 10, 12-14, 18, 22, and 24-27 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Bradski in view of Murtha and Shwarts. Claims 5, 7, 17, 19, 21, and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bradski in view of Murtha and in further view of Bates. Applicant respectfully traverses these rejections.

The amended claims specify that the feedback is provided to the user through the feedback module without invoking an application interface process of an operating system. Certain claims further specify that the feedback module itself resides at the driver level of the operating system.

The amendments highlight a distinction between Bradski, Murtha, Shwarts, and Bates and the claims presented. Namely, in each of the above references, the pointing device events must run through the entire stack before any feedback is provided to the user. Thus, these existing approaches to giving feedback to the user “are dependent on the long processing chain associated with receiving input events and communicating feedback information. If any process in the chain is inaccessible or inoperable, interactivity with the user is suspended or halted.” Specification, paragraph 9.

In contrast, the claims specify that the feedback module provides the user with feedback without invoking an application interface module (as shown in Figure 3) of an operating system. This different path allows the user to receive feedback even if a process in a typical feedback chain (as taught by the prior art) is inaccessible or inoperable. Since the claims recite limitations which are neither present nor suggested in the prior art, Applicants respectfully submit that the invention as claimed represents a non-obvious improvement over the art of record.

Conclusion

As a result of the presented remarks, Applicant asserts that the application is in condition for prompt allowance. Should additional information be required regarding the traversal of the rejections of the claims enumerated above, Examiner is respectfully asked to notify Applicants of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

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